

House Amendment 1288

PAG LIN

1 1 Amend House File 486 as follows:
1 2 #1. Page 2, by striking lines 11 through 18, and
1 3 inserting the following:
1 4 <(1) The person's violation of a standard adopted
1 5 by the United States department of agriculture that
1 6 directly regulates the health and welfare of an
1 7 animal, if compliance with the standard is a condition
1 8 for the issuance or retention of the person's federal
1 9 license.>
1 10 #2. Page 2, by inserting after line 23, the
1 11 following:
1 12 <Sec. ____. Section 162.13, Code 2009, is amended
1 13 to read as follows:
1 14 162.13 PENALTIES.
1 15 1. Operation ~~The operation~~ of a pound, animal
1 16 shelter, pet shop, boarding kennel, commercial kennel,
1 17 research facility, or public auction, or dealing in
1 18 dogs or cats, or both, either as a dealer or a
1 19 commercial breeder, without a currently valid license
1 20 or a certificate of registration is a simple
1 21 misdemeanor and each day of operation is a separate
1 22 offense.
1 23 2. a. ~~The failure of any pound, research~~
1 24 ~~facility, animal shelter, pet shop, boarding kennel,~~
1 25 ~~commercial kennel, commercial breeder, public auction,~~
1 26 ~~or dealer, to adequately house, feed, or water dogs,~~
1 27 ~~cats, or~~ A person who violates departmental standards
1 28 adopted under this chapter by failing to adequately
1 29 house, feed, or water dogs, cats, or other vertebrate
1 30 animals in the person's or facility's possession or
1 31 custody is guilty of a simple misdemeanor. This
1 32 paragraph applies to a person who has been issued a
1 33 certificate of registration by the department as a
1 34 pound, animal shelter, or research facility, and to a
1 35 person who has been issued a license by the department
1 36 as a public auction, boarding kennel, commercial
1 37 kennel, pet shop, commercial breeder, or dealer.
1 38 b. ~~A person who violates standards adopted by the~~
1 39 ~~United States department of agriculture pursuant to 9~~
1 40 ~~C.F.R. ch. I by not adequately housing, feeding, or~~
1 41 ~~watering dogs, cats, or other vertebrate animals in~~
1 42 ~~the person's possession or custody is guilty of a~~
1 43 ~~simple misdemeanor. This paragraph applies to a~~
1 44 ~~person who has been issued a certificate of~~
1 45 ~~registration by the department as a commercial kennel,~~
1 46 ~~public auction, dealer, or commercial breeder because~~
1 47 ~~the person has been issued a federal license.~~
1 48 3. ~~The animals are~~ An animal that has not been
1 49 adequately housed, fed, or watered as provided in
1 50 section 2, is subject to seizure and impoundment and
2 1 may be sold or destroyed as provided by rules which
2 2 shall be adopted by the department pursuant to chapter
2 3 17A. The department's rules shall provide for the
2 4 destruction of an animal by a humane method, including
2 5 by euthanasia. The failure to meet the requirements
2 6 of this section is also cause for revocation or
2 7 suspension of license or registration after public
2 8 hearing. The commission of an act declared to be an
2 9 unlawful practice under section 714.16 or prohibited
2 10 under chapter 717 or 717B, by a person licensed or
2 11 registered under this chapter is cause for revocation
2 12 or suspension of the license or registration
2 13 certificate. Dogs, cats, and other vertebrates upon
2 14 which euthanasia is permitted by law may be destroyed
2 15 by a person subject to this chapter or chapter 169, by
2 16 a humane method, including euthanasia, as provided by
2 17 rules which shall be adopted by the department
2 18 pursuant to chapter 17A.
2 19 4. ~~It is unlawful for a dealer to~~ A dealer shall
2 20 not knowingly ship a diseased animal. A dealer
2 21 violating this paragraph subsection is subject to a
2 22 fine not exceeding one hundred dollars. Each diseased
2 23 animal shipped in violation of this paragraph
2 24 subsection is a separate offense.>

2 25 [#3.](#) Title page, line 3, by inserting after the
2 26 word <stewardship> the following: <, and providing
2 27 penalties>.
2 28 [#4.](#) By renumbering as necessary.
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2 32 SANDS of Louisa
2 33 HF 486.203 83
2 34 da/nh/23129